

**PUBLIC CHAPTER NO. 731**

**HOUSE BILL NO. 2420**

**By Representatives Moore, Yokley**

**Substituted for: Senate Bill No. 2940**

**By Senators Haynes, Marrero**

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 11, relative to ticket scalping.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 11, is amended by adding the following language as a new, appropriately designated section:

Section 39-17-1105

(a) For purposes of this section, "ticket seller" means a person who has executed a written agreement with the management of any venue for a sporting event, theater, musical performance, or public entertainment or amusement of any kind, to sell tickets to such an event over the Internet.

(b) It is an offense for any person to knowingly sell, give, transfer, use, distribute or possess with the intent to sell, give or distribute software that is primarily designed or produced for the purpose of interfering with the operations of any ticket seller that sells, over the Internet, tickets of admission to a sporting event, theater, musical performance, or place of public entertainment or amusement of any kind by circumventing any security measures on the ticket seller's website, circumventing any access control systems of the ticket seller's website, or circumventing any controls or measures that are instituted by the ticket seller on its website to ensure an equitable ticket buying process.

(c)

(1) A violation of this section is a Class B misdemeanor, punishable by fine only of not more than five hundred dollars (\$500), or any profits made or tickets acquired in the course of the violation of this section, whichever amount is greater.

(2) Each acquisition, sale, or offer in violation of this section constitutes a separate offense.

SECTION 2. This act shall take effect July 1, 2008, the public welfare requiring it.

**PASSED: March 31, 2008**

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
RON RAMSEY, SPEAKER  
SENATE OF THE SENATE

**APPROVED this 10th day of April 2008**

  
PHIL BREDESEN, GOVERNOR